

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO.: 1:14CR276
)	
Plaintiff,)	JUDGE DONALD C. NUGENT
)	
v.)	<u>GOVERNMENT'S MOTION TO</u>
)	<u>CONTINUE RESTITUTION HEARING</u>
HAROLD PERSAUD,)	
)	
Defendant.)	
)	

Now comes the United States of America, by and through Steven M. Dettelbach, United States Attorney, and Michael L. Collyer and Chelsea S. Rice, Assistant United States Attorneys, and hereby requests that the Court continue the restitution hearing, currently scheduled for January 27, 2016. The United States requests three weeks so that potential victims have adequate notice and an ability to participate in the proceeding.

On January 12, 2016, the United States asked for permission to publish notices to potential victims given the high number of patients who received unnecessary stents and nuclear stress tests. Such victims have a right to participate in the restitution hearing pursuant to 18 U.S.C. §3771(a). The Court granted the motion on January 13, 2016.

On January 14, 2016, the Lorain Chronicle-Telegram published the proposed notice. On January 23, 2016, the Cleveland Plain Dealer published the proposed notice. The United States believes that more time is necessary for potential victims to come forward and provide evidence of any out-of-pocket and other potentially recoverable expenses to be included in the restitution judgment. The United States proposes that a continuance to the third week of February will be sufficient notice to potential victims and would still be well within the 90 days post-sentencing allowed for such hearings under 18 U.S.C. §3664(d)(4).

Wherefore, the United States requests that the Court continue the restitution hearing until at least the third week of February.

Respectfully submitted,

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United States Attorney

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CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of January 2016, a copy of the foregoing document was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. All other parties will be served by regular U.S. Mail. Parties may access this filing through the Court's system.

/s/ Michael L. Collyer
Michael L. Collyer
Assistant U.S. Attorney